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Date of DepositAddress to: Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231JC860 U.S. PTO  
09/730525  
12/05/00**UTILITY PATENT APPLICATION TRANSMITTAL AND FEE SHEET**Transmitted herewith for filing under 37 CFR §1.53(b)(1) is a **divisional** of prior Application No. 09/102,419, filed June 22, 1998.

Applicant (or identifier): WARD

Title: HERBICIDE TOLERANT PROTOX GENES PRODUCED BY DNA SHUFFLING

Enclosed are:

1. ☒ Specification (Including Claims and Abstract) - 188 pages
  2. ☐ Drawings - sheets
  3. ☐ Declaration and Power of Attorney
    - a. ☐ Newly executed (original or copy)
    - b. ☒ Copy from a prior application (signed or with indication that original was signed)
    - i. ☐ Deletion of Inventors  
Signed statement attached deleting inventor(s) named in the prior application
  4. ☒ Incorporation By Reference  
The entire disclosure of the prior application, from which a copy of the Declaration and Power of Attorney is supplied under Box 3b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
  5. ☐ Microfiche Computer Program (appendix)
  6. ☐ Nucleotide and/or Amino Acid Sequence Submission
    - ☐ Computer Readable Copy
    - ☒ Paper Copy
    - ☐ Statement Verifying Identity of Above Copies
  7. ☒ Preliminary Amendment
  8. ☐ Assignment Papers (Cover Sheet & Document(s))
  9. ☐ English Translation of
  10. ☐ Information Disclosure Statement
  11. ☐ Certified Copy of Priority Document(s)
  12. ☒ Return Receipt Postcard
  13. ☒ Other: Substitute Sequence Listing; Bibliographic Data Sheet
- ☒ The right to elect an invention or species that is different from that elected in parent Application No. 09/102,419 in the event of a restriction or election of species requirement that is identical or substantially similar to that made in said parent application is hereby reserved.

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Filing fee calculation:

- ☒ Before calculating the filing fee, please enter the enclosed Preliminary Amendment.  
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Basic Filing Fee							\$	710
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Extra Claims	Total Claims	19	-20	0	x	\$ 18	=	\$
	Independent Claims	2	-3	0	x	\$ 80	=	\$
TOTAL FILING FEE							\$	710

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Please direct all telephone calls to the undersigned at the number given below and all telefaxes to (919) 541-8689.

Respectfully submitted,



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Date: December 5, 2000